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Attorney for Debtor(s),

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA - FRESNO DIVISION

In re

KEITH RAYMOND CASH
GERALDINE LEE CASH

Debtors.

v.

CAPITAL ONE AUTO FINANCE

Case No. 20-10859-B-13

Docket Control No: TCS-1

CHAPTER 13

Hearing Date: June 10, 2020

Time: 9:30 A.M.

Dept: B

Crtm.: 13 (5th floor)

United States Bankruptcy Court

2500 Tulare Street

Fresno, California 93721-1318

Judge: Rene' Lastreto II

MOTION TO VALUE COLLATERAL

Comes now the Debtors, Keith and Geraldine Cash, by counsel, and alleges as follows:


This motion is filed under 11 U.S.C. § 506 to obtain an Order fixing the value of collateral held by creditor.

1. The Debtors are the owners of a 2014 Honda Accord LX with 75,506 miles, (hereinafter, the "vehicle")
2. The vehicle is subject to a lien held by Capital One Auto Finance, (hereinafter the "creditor") in the approximate amount of \$12,741.17. See Proof of Claim No. 5.
3. The current value of the 2014 Honda accord LX is \$10,236.00.

- 1 4. The Debtors purchased the vehicle July 25, 2017, which was 1,016 days ago; more than
2 910 days prior to the day they filed bankruptcy. See EXHIBIT A for a true and correct
3 copy of the purchase information from Proof of Claim No. 5
- 4
- 5 5. Debtor filed a Chapter 13 Plan in which the creditor receives the current fair market value
6 of the collateral.
- 7
- 8 6. The current fair market value of the collateral for the purpose of 11 U.S.C. 506 and 11
9 U.S.C. 1322 (b) is \$10,236.00, based upon the debtors' opinion.
- 10
- 11 7. Debtors declared this to be the amount on their Schedule B at the time of filing the
12 petition. A true copy of Debtor's Schedule B is attached as EXHIBIT B.
- 13
- 14 8. Their valuation is based upon the fact that the vehicle is approximately 6 years old; at the
15 time of filing, the vehicle had 75,506 miles on it; and the interior has 6 years of normal
16 wear and tear.
- 17
- 18 9. The Kelly Bluebook Valuation dated on May 5, 2020 also values the vehicle at
19 \$10,236.00. A true copy of the Kelly Blue Book Valuation is attached as EXHIBIT C.

20 WHEREFORE, the debtor prays that the Court enter its order determining the value of
21 the collateral and fixing the creditor's secured claim at the value of \$10,236.00. The remainder,
22 (if any), will be paid as general unsecured.

23 Respectfully submitted,

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25 TIMOTHY C. SPRINGER,
26 Attorney for Debtors

27 Dated: May 5, 2020